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1/6/03
PATENT
Attorney Docket No. P2048US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. Arkes

Application No. 09/414,951

Art Unit: 2164

Filed: October 8, 1999

Examiner: Charles R. Kyle

For: An Incentive Points Redemption
Program Carried Out Via
An On-Line Auction

RESPONSE TO OFFICE ACTION

This is in response to the Office Action of September 23, 2002.

Following the granting of Applicant's petition to revive an unintentionally abandoned application, Applicant's Notice of Appeal became effective as of June 27, 2003. Following an interview with the Examiner on September 10, 2003 and a follow-up telephone interview on November 18, 2003. Agreement was reached to submit a new declaration that addresses the screen shots in Exhibits A and B of the declaration of Mr. Michael A. Arkes and Mr. Bradford F. Parkinson, filed July 24, 2002, with respect to the elements of claims 14 and 15 in the application. Therefore, in view of the issues discussed with the Examiner on November 18, 2003, Applicant submits the attached declaration.

This application is believed to be in condition for allowance and early favorable action is requested. The Examiner is requested to call the undersigned attorney if that would be helpful in resolving any matters that might remain.

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In re Appln. of Arkes
Application No. 09/414,951

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Frey", written over a horizontal line.

David A. Frey, Reg. No. 43,618
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Date: December 19, 2003

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